

PLM-11
Mr. Forman

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DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-195585

DATE: February 21, 1980

MATTER OF: Lieutenant Colonel James L. Van Zee, USA
(Retired)

DIGEST: Member incurs excess baggage costs while traveling on commercial airline. Under 1 Joint Travel Regulations, para. M4404, such costs may be reimbursed member if authorized before travel or approved after travel by appropriate Army officials. Since excess baggage costs were neither authorized nor approved, member may not be reimbursed.

Lieutenant Colonel James L. Van Zee, USA (Retired), has appealed our Claims Division's denial of his claim for excess baggage expenses of \$144 while he was on active duty. Because the member's excess baggage expense was not authorized or approved by appropriate Army personnel, the denial of the claim is sustained.

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Under competent travel orders of February 14, 1978, Colonel Van Zee and his 2 sons were authorized to return to the United States from Germany incident to the member's permanent change of station. Additionally, the travel orders specified that the member and his dependents were authorized to travel by commercial airline and were authorized 132 pounds of air baggage.

On March 24, 1978, Colonel Van Zee and one of his sons commenced travel to the United States aboard Pan American Airlines. When Colonel Van Zee checked his baggage, he was charged \$144 for excess baggage. Although within the weight limitation on his orders the charge was levied because the carrier's rules only permitted a maximum of four bags and Colonel Van Zee and his son had six bags.

Colonel Van Zee sought reimbursement of the excess baggage charges from the Army who refused to approve payment. Subsequently, the Army forwarded the claim to our Claims Division which also disallowed payment of the claim.

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Paragraph M4404 of the Joint Travel Regulations (1 JTR) promulgated pursuant to 37 U.S.C. 406, provides that expenses incident to the shipment of excess baggage are reimbursable when authorized or approved by the order issuing authority (or his designated representative) or the member's commanding officer. The term "authorized or approved" in this regulation allows the appropriate official to either authorize the expense before the travel or approve the expense after travel. B-165335, November 19, 1968; and B-150779, March 14, 1963.

The record before us does not indicate that Colonel Van Zee's excess baggage expenses were either authorized or approved. His travel orders merely authorized up to 132 pounds for three travelers and only two individuals traveled. And, as noted previously, the Army has not approved the excess baggage expense.

Accordingly, the denial of the claim is sustained.

Colonel Van Zee has also requested that his claim and all supporting documents be forwarded to him. Since those papers are part of the official file in his case they are being retained in the General Accounting Office. However, copies of those papers are being forwarded to him.


Deputy Comptroller General
of the United States